THE HON'BLE SRI JUSTICE E. DHARMA RAO

W.P.No. 18565 of 2005

The petitioner in this writ petition seeks a declaration that the action of the respondent in interfering with the possession in the house plot bearing No.24-4 situated at Rajiv Chowk, Kalalwadi, Miryalaguda Town, Nalgonda District, as illegal and arbitrary and for consequential direction to the respondent not to interfere with her possession of the property in question.

The case of the petitioner is that she is the absolute owner and in possession of house bearing No.24-4, Kalalwadi, Miryalaguda Town. The petitioner complains that when there is obstruction from the neighbours for construction of compound wall to her house she obtained injunction in her favour by filing civil suit in O.S.No.333/2005, on the file of the Junior Civil Judge, Miryalaguda. The grievance of the petitioner is that at the instance of her neighbours the respondent is interfering with her possession of the premises in question and she is seeking a direction to the respondent not to interfere with her possession and enjoyment of the premises.

It is to be seen that the petitioner obtained injunction in her favour in respect of the premises in question in a civil suit. Since the petitioner is in possession and enjoyment of the property and also injunction obtained in her favour, this writ petition is wholly misconceived and is liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs.

23rd September, 2005

BJ/